

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

United States of America,) CR. NO. 4:96-312 (CMC)
)
 v.) **OPINION and ORDER**
)
 Steven Singletary, USM #92120-071,)
)
 Defendant.)
)

This matter is before the court on Defendant's motion to correct sentence under 28 U.S.C. § 2255, arguing that in light of the Supreme Court's holding in *Johnson v. United States*, __ U.S. __, 135 S.Ct. 2551 (2015), Defendant is no longer an armed career criminal and should be resentenced. ECF No. 124. On July 14, 2016, the Government filed a response in support, agreeing that Defendant's § 2255 motion should be granted and he should be resentenced without the Armed Career Criminal enhancement. ECF No. 130.

The court **grants** the motion for relief under 28 U.S.C. § 2255. The Judgment Order as to Steven Singletary in CR 4:96-312 filed June 12, 1997, is hereby **vacated**, and this matter is set for resentencing on **Wednesday, September 14, 2016, at 3:00 p.m.**¹

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
Senior United States District Judge

Columbia, South Carolina
July 20, 2016

¹ Defendant is not currently in federal custody, but is in SCDC custody at Allendale Correctional Institution under the name Stevie L. Singletary (inmate #00189891).